

PETER D. KEISLER  
JEANNE E. DAVIDSON  
PATRICIA McCARTHY  
MICHAEL D. PANZERA, Washington State Bar No. 31088  
U.S. Department of Justice  
1100 L Street, NW Room 4042  
Washington, D.C. 20530  
Telephone: (202) 305-7587

Attorneys for the Department of Commerce

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES,

v.

IL UNG KIM,  
YOUNG BAE RHA, and  
GARY SWANSON,

Defendants.

No. CR 06-0692 PJH

**JOINT STIPULATION  
AND ~~PROPOSED~~ ORDER**

Hearing Noticed for July 25, 2007,  
2:30 p.m. before the Hon. Phyllis J. Hamilton

**JOINT STIPULATION**

Whereas defendant Gary Swanson served a subpoena duces tecum for certain documents upon the United States Department of Commerce ("Commerce") on May 23, 2007.

Whereas Commerce filed a motion to quash the subpoena directed to it on June 15, 2007.

Now Therefore Commerce and Mr. Swanson hereby stipulate and agree as follows:

1. Mr. Swanson shall submit a completed order form to Commerce and payment for the official public administrative record of the proceedings before, and determination by, Commerce in the countervailing duty investigation in Dynamic Random Access Memory Semiconductors from the Republic of Korea, Case No. C-580-851.

1           2.     Upon receipt of payment, Commerce shall provide the official public  
2 administrative record identified in paragraph 1. See Declaration of Program Manager, Office of  
3 Antidumping & Countervailing Duty Compliance, Attachment A.

4           3.     Upon the delivery of the official public administrative record identified in  
5 paragraph 1, the subpoena shall be deemed satisfied and the motion to quash shall be moot.

6           4.     Nothing in this stipulation shall be construed as an admission that the information  
7 requested in the subpoena would be relevant to the above-captioned case, admissible in the  
8 above-captioned case, or otherwise meets the common-law requirements of specificity and  
9 necessity to warrant enforcement of the subpoena. Furthermore, nothing in this stipulation shall  
10 be construed as an admission that Mr. Swanson would be entitled to any confidential information  
11 in the administrative record.

12          5.     The undersigned counsel are authorized by their respective clients to enter into  
13 this stipulation.

14 [continued on next page]

6. This document constitutes a complete integration of the stipulation between Commerce and Mr. Swanson only, and supercedes any and all prior oral or written representations, understandings or agreements between them.

AGREED:

PETER D. KEISLER  
Assistant Attorney General

JEANNE E. DAVIDSON  
Director

PATRICIA M. MCCARTHY  
Assistant Director

MICHAEL D. PANZERA  
Trial Attorney  
U.S. Department of Justice  
Civil Division  
Commercial Litigation Branch  
Attn: Class. Unit - 8th Floor  
1100 L St., N.W.,  
Washington, D.C. 20530

JOHN F. McLEAN, ESQ.  
Law office of John F. McLean  
45 Seafirth Road  
Tiburon, CA 94920

and  
Bartko, Zankel, Tarrant & Miller

Tel: (415) 435-6367

Tel.: (202)305-7587  
Fax: (202) 353-7988

Attorneys for Defendant Gary Swanson

Attorneys for the Department of Commerce

Dated: July 10, 2007

Dated: July 10, 2007

IT IS SO ORDERED

Dated July 12, 2007

